

ESTTA Tracking number: **ESTTA63583**Filing date: **01/25/2006**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party requests to cancel indicated registration.

**Petitioner Information**

Name	Darigold, Inc D/B/A Westfarm Foods		
Entity	Corporation	Citizenship	Washington
Address	635 Elliott Avenue Seattle, WA 98119 UNITED STATES		

Attorney information	Thomas J Hoffmann DLA Piper 701 Fifth Avenue Suite 7000 Seattle, WA 98104-7044 UNITED STATES thomas.hoffmann@dlapiper.com Phone:206-839-4848
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**Registration Subject to Cancellation**

Registration No	2615667	Registration date	09/03/2002
Registrant	INGREDIA 51 - 53 Avenue Fernand Lobbedez 62000 Arras, FRANCE		
Goods/Services Subject to Cancellation	Class 029. First Use: 2000/08/00 , First Use In Commerce: 2000/08/00 Goods/Services: Dairy ingredients for process industries, namely, protein for use as a food additive		

Related Proceedings	Opposition Number 91168335
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Attachments	CancellationPROMILK.pdf ( 1 page )
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Signature	/Thomas J Hoffmann/
Name	Thomas J Hoffmann
Date	01/25/2006

UNITED STATES PATENT AND TRADEMARK OFFICE  
TRADEMARK TRIAL AND APPEAL BOARD

DARIGOLD, INC.  
d/b/a WESTFARM FOODS

v.

INGREDIA

Mark: PROMILK  
Registration Number: 2,615,667

CANCELLATION ACTION

1. DARIGOLD, INC. d/b/a WESTFARM FOODS (Petitioner), a Washington Corporation, at 635 Elliott Avenue, Seattle, Washington, 98119 is the applicant for the mark MILKPRO, Application Serial Number 78/584,947.
2. Ingredia, a French Corporation, is the registrant for the mark PROMILK Registration Number 2,615,667.
3. Ingredia has filed Opposition Number 91168335 against Petitioner's Application Serial Number 78/584,947.
4. Petitioner is an interested party and has standing to petition for cancellation.
5. Petitioner is informed and believes in good faith, and on that basis alleges, that the mark PROMILK which is the subject of Registration Number 2,615,667 is no longer in use and has been abandoned by the registrant.

WHEREFORE, Applicant prays that U.S. Registration 2,615,667 be cancelled on the grounds that the mark has been abandoned by nonuse under section 14(3) of the Lanham Act (15 U.S.C. §1064 (3)).

Dated: January 25, 2006

/Thomas J Hoffmann/  
Attorney for Applicant

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